

Kari Parsons

From: Justin Kilgore
Sent: Monday, December 19, 2022 10:26 AM
To: Kari Parsons
Cc: Marcella Maes; Petra Rangel
Subject: FW: Haven Valley - File Number: PUDSP217
Attachments: Haven Valley Spencer Email.pdf; 1 - Original Response 11292022.pdf; 2 - Summary 12172022.pdf

Hello,

Please see the attached PDF's and upload them into EDARP. We will also need to provide copies to the Commissioners since this came in after they have received their packages.

Thank you,



Justin Kilgore
Planning Review Manager
El Paso County Planning and Community Development
719-520-6313 | 719-641-6186
<https://planningdevelopment.elpasoco.com>

From: Kevin Mastin <KevinMastin@elpasoco.com>
Sent: Monday, December 19, 2022 10:05 AM
To: Justin Kilgore <JustinKilgore@elpasoco.com>
Subject: Fwd: Haven Valley - File Number: PUDSP217

Justin,

Please see below and attached. Can you make sure these get added to the package for Haven Valley?

Thank you.

Kevin Mastin
Executive Director
El Paso County Department of Public Works
3275 Akers Dr.
Colorado Springs, CO 80922
O) 719 520-6900
kevinmastin@elpasoco.com

From: Longinos Gonzalez, Jr <LonginosGonzalezJr@elpasoco.com>
Sent: Monday, December 19, 2022 9:45:32 AM
To: Kevin Mastin <KevinMastin@elpasoco.com>
Subject: Fwd: Haven Valley - File Number: PUDSP217

Hi, Kevin. Please add the submissions to our records for the meeting tomorrow. Thanks

Longinos

Get [Outlook for iOS](#)

From: SUSAN SPENCER <scspencer99@msn.com>
Sent: Saturday, December 17, 2022 11:35:37 AM
To: Longinos Gonzalez, Jr <LonginosGonzalezJr@elpasoco.com>
Subject: Haven Valley - File Number: PUDSP217

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Dear Commissioner: I need to offer two apologies to you. The first is for when you responded to my email regarding Smith Plumbing's Variance use in June of this year. I believe you requested the county engineer assigned to the project to review the Elm Grove ponds and drainage. I failed to thank you, and I apologize for this oversight.

The second apology is for my concern about the Haven Valley project (file number: PUDSP217) dropping into your email so late. I believe you will be reviewing this project for approval at the BOCC on Tuesday, December 20, 2022.

In truth, I have been quite angry about all the projects surrounding Elm Grove Townhomes. When I purchased my townhome in August 2020, there was quite a bit of open land. I asked our HOA about any pending projects, and they provided no information. Since that time, Smith Plumbing is expanding to the north, and I must say the constant vehicle motion alarms (beeping) are maddening. In addition, Calvary Fellowship, the church to the east installed a small playground with less than a 25 foot set back from the townhome property line. They will also be placing a modular building in the southeast corner of their property, and I have no idea its use. Last but probably not least, now is Haven Valley. The proposal is for 98 homes on 11.77 acres.

I have attached a copy of my concern/opposition letter which I submitted in November. I have made a few changes on the attached summary document which I think makes an easier read.

In addition, it is my feeling and belief that existing property owners have the County's approval process for developers and builders stacked against them. We have no leverage. The details of a project are buried deep in all the documents, and people are not able or have the time to read these documents. The summary is attached.

Respectfully,

Susan Spencer
4855 Elm Grove Drive
Colorado Springs, CO 80911
719.650.8649

Summary of Original Document Submitted in November

Executive Summary

Are the homes attached, detached, or mixed?

Land Development Codes

If there are LDC's, why is it always necessary to skirt these in order to approve a project and yield to the developer/builder?

Other Master Plan Elements

Why wasn't a nest survey required? EPCP&D required this in 2007. Colorado Parks and Wildlife did a cursory look for this current approval process, and this was accepted by EPCP&D. Please refer to my notes in the original document attached regarding the amount of wildlife, and how will the migration of these animals into surrounding neighborhoods be humanely managed.

Physical Characteristics (Drainage and Erosion)

This area is a storm water nightmare. Apparently, a new detention pond is proposed for this project. What assurances to the neighbors upstream from the pond have regarding any failures? I have been told that there will be a spillway which should prevent any backups, but I am not convinced about this process. In addition, what will be the best management practices during the construction period of the pond?

Also, why were only two homeowners on Pecos Drive notified? The proposed pond will be located behind homes at 400 – 408 Pecos Drive, and they did not receive the public hearing notice if the records in EDARP are correct.

Transportation

No light required at Alturas Drive and Bradley Road. I do not understand this staff recommendation and approval. I know they based their decision on documents provided by the developer's consultant. The traffic impact study was completed in April of 2021, and on page 2 of the study under General Existing Conditions, the consultant states the following:

The AM and PM peak hours at the intersection of Bradley Road and Alturas Dr. were counted on Tuesday, March 9, 2021, by All Traffic Data. The impact of Covid pandemic restrictions were most felt in March and April 2020. By this time a year later traffic has returned to "normal" or per the ITE publication *"What a Transportation Professional Needs to Know About Counts and Studies during a Pandemic"* traffic volumes have established a "new" normal. The counts are attached.

I am not a traffic engineer, but I think our community was still feeling the impacts of the pandemic, and so can this statement be correct in its entirety?

Bradley Road is multi lane in both directions, and it is busy. There is a fire station directly on the northeast corner of Bradley Road and Alturas Drive. A few blocks to the north of the fire station is French Elementary. The Windmill Creek Community sits on the southeast corner, and

Pikes Peak Christian Church on the southwest corner. Households in the neighborhoods tucked behind this intersection utilize this means to enter/exit. All of these folks will be impacted by this decision. And, how is it that 98 more homes with at least 98 more vehicles will not have more of an impact than the study suggests?

With that being said, how will construction traffic be managed to the proposed site when and if this project is approved? People in the surrounding neighborhoods will be shocked.

If a traffic signal is not required now, eventually the burden of that cost will fall upon the taxpayers' shoulders because of this current decision.

Project Justification - PUD Zoning Approval Criteria

I like this new buzzword now being used in the housing industry: "attainable" versus "affordable" Will the homes in this proposed development be attainable? The average price of a home in Colorado Springs in October of this year was \$457,000.00.

Should approval be given by EPC Commissioners, I would ask the following be required:

The 6 foot opaque fencing with a landscape buffer proposed for the east and south boundary also be installed on the north and west to include the buffering landscape.

In addition, I would hope that if the project is approved no traffic associated with the construction of this project be allowed to utilize the easement on Leta Drive or use the west parking lot of Good Shepard's United Methodist Church as a thoroughfare.

H. Physical Site Characteristics

3. Drainage and Erosion

Response: This area is a storm water nightmare. Adjacent property owners need assurances this potential project will not create or exacerbate the existing problems. In addition, they should be provided recourse for remediation for any damage or loss should the proposed detention pond fail.

Should construction begin, what will be the best management practice during the construction period of the pond? How will the additional run off from the new, impermeable surfaces and the water quality of any run off be mitigated?

4. Transportation

Alturas Drive and Bradley Road

Response: El Paso County Planning & Community Development is in agreement with the traffic impact study submitted for this project, and thus no mitigation of the above intersection will be required should this project be approved by EPC Commissioners. I have no knowledge or education in this field or the methodology used for this study. However, I would like to add commentary.

When the traffic impact study was conducted, it was only 1 year into the COVID pandemic, and I do not believe traffic patterns were back to normal. The first emergency use authorization for the COVID vaccine was granted in December 2020, and it was not until August of 2021 the vaccine became more available. In addition, if my assumptions are incorrect about the impacts of the pandemic, it is difficult for me to believe the demographics in this area have diminished.

I don't want to hypothesize about members in my community, but I think most of us are simply going about our daily activities, and we do not have a finger on the pulse. With that being said, I think property owners near this intersection will be shocked to learn a traffic signal will not be installed should the Haven Valley housing development be approved.

The road is multi-lane in both directions, and the speed limit at this time is 40 MPH. There is a fire station located directly on the northeast corner. French Elementary is a few blocks north of the fire station. The Windmill Creek Community sits on the southeast corner. Pikes Peak Christian Church on the southeast corner. There are neighborhoods tucked behind this intersection. Everyone in these tucked away neighborhoods who utilize this intersection will also be impacted by at least an additional 98 additional vehicles. With that being said, how will the proposed construction site traffic be managed?

If a traffic signal is not required now, eventually the burden of that cost will fall upon the taxpayers' shoulders because of this decision.

Project Justification

PUD Zoning Approval Criteria

Bullet #1: *To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;*

The proposed smaller lot residential development is meeting a need and demand for more attainable housing product.

Response: The average price of a home in the Colorado Springs community is \$457,000.00. Will the Haven Valley attached/detached homes meet those attainable needs of potential home buyers?

DATE: November 29, 2022
TO: El Paso County Planning Commission/Board of County Commissioners
FROM: Susan Spencer
SUBJECT: Planned Unit Development/Preliminary Plan – Haven Valley
Response: Opposition/Concern

Executive Summary

- Request/Modifications/Authorization
All previous documentation has indicated the proposal is for 98 single family homes and the renderings appeared to be attached units. This is the first time I have seen a request for mixed detached and attached lots. What exactly does this mean and why has it only been mentioned in the Executive Summary.

Response: If there are existing Land Development Codes (LDC) and an Engineering Criteria Manual utilized in the approval process, why do high density projects receive approval for PUD and ECM deviations such as this one (98 homes on 11.77 acres)?

- Approval Criteria
Bullet #3: *“and will not have a negative impact upon the existing and future development of the surrounding area...”*
Response There is nothing more in this immediate area to be developed.

Master Plan Analysis

Analysis

Goal 2.1 : What is the actual translation of the following statement; *“Promote a mix of housing types in identified area”* Please refer to above Executive Summary.

4. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. El Paso County Services Department was sent a referral and have no outstanding comments.

Response: A “Nest Survey” was conducted in 2007 by Tetra Tech. However, it appears no “Nest Survey” was required during this current approval process. Instead, a cursory look at the site was made by Colorado Parks and Wildlife probably close to the end of the nesting season.

As a homeowner close to this site, I can say there is a wildlife population which exists. It is not only birds and birds of prey. I have had deer, red foxes, skunks, rabbits, squirrels and other variety of animals who frequently stop for water behind my home. Last summer I photographed a falcon or at least it appeared to be a falcon drinking.

Should construction begin, the wildlife will be driven into the surrounding neighborhood. What will be the best humane business management practice for this activity because it will occur? As an example, when the improvements to Drennan Road began, the wildlife ended up in the surrounding neighborhoods.

Thank you for allowing me as an adjacent homeowner to respond. A few additional items:

If approval is given by EPC Commissioners, I would also ask that the 6 foot opaque fencing with a landscape buffer proposed for the east and south boundary also be installed on the west boundary to include the buffering landscape.

In addition, I would hope that if the project is approved that no traffic associated with the construction of this project will be allowed to utilize the easement on Leta Drive or to use the west parking lot of Good Shepard's United Methodist Church as a thoroughfare.

Respectfully,

Susan Spencer
4855 Elm Grove Drive
Colorado Springs, CO 80911

DATE: November 29, 2022
TO: El Paso County Planning Commission/Board of County Commissioners
FROM: Susan Spencer
SUBJECT: Planned Unit Development/Preliminary Plan – Haven Valley
Response: Opposition/Concern

Executive Summary

- Request/Modifications/Authorization

All previous documentation has indicated the proposal is for 98 single family homes and the renderings appeared to be attached units. This is the first time I have seen a request for mixed detached and attached lots. What exactly does this mean and why has it only been mentioned in the Executive Summary.

Response: If there are existing Land Development Codes (LDC) and an Engineering Criteria Manual utilized in the approval process, why do high density projects receive approval for PUD and ECM deviations such as this one (98 homes on 11.77 acres)?

- Approval Criteria

Bullet #3: *“and will not have a negative impact upon the existing and future development of the surrounding area...”*

Response There is nothing more in this immediate area to be developed.

Master Plan Analysis

Analysis

Goal 2.1 : What is the actual translation of the following statement: *“Promote a mix of housing types in identified area”* Please refer to above Executive Summary.

4. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. El Paso County Services Department was sent a referral and have no outstanding comments.

Response: A “Nest Survey” was conducted in 2007 by Tetra Tech. However, it appears no “Nest Survey” was required during this current approval process. Instead, a cursory look at the site was made by Colorado Parks and Wildlife probably close to the end of the nesting season.

As a homeowner close to this site, I can say there is a wildlife population which exists. It is not only birds and birds of prey. I have had deer, red foxes, skunks, rabbits, squirrels and other variety of animals who frequently stop for water behind my home. Last summer I photographed a falcon or at least it appeared to be a falcon drinking.

Should construction begin, the wildlife will be driven into the surrounding neighborhood. What will be the best humane business management practice for this activity because it will occur? As an example, when the improvements to Drennan Road began, the wildlife ended up in the surrounding neighborhoods.

H. Physical Site Characteristics

3. Drainage and Erosion

Response: This area is a storm water nightmare. Adjacent property owners need assurances this potential project will not create or exacerbate the existing problems. In addition, they should be provided recourse for remediation for any damage or loss should the proposed detention pond fail.

Should construction begin, what will be the best management practice during the construction period of the pond? How will the additional run off from the new, impermeable surfaces and the water quality of any run off be mitigated?

4. Transportation

Alturas Drive and Bradley Road

Response: El Paso County Planning & Community Development is in agreement with the traffic impact study submitted for this project, and thus no mitigation of the above intersection will be required should this project be approved by EPC Commissioners. I have no knowledge or education in this field or the methodology used for this study. However, I would like to add commentary.

When the traffic impact study was conducted, it was only 1 year into the COVID pandemic, and I do not believe traffic patterns were back to normal. The first emergency use authorization for the COVID vaccine was granted in December 2020, and it was not until August of 2021 the vaccine became more available. In addition, if my assumptions are incorrect about the impacts of the pandemic, it is difficult for me to believe the demographics in this area have diminished.

I don't want to hypothesize about members in my community, but I think most of us are simply going about our daily activities, and we do not have a finger on the pulse. With that being said, I think property owners near this intersection will be shocked to learn a traffic signal will not be installed should the Haven Valley housing development be approved.

The road is multi-lane in both directions, and the speed limit at this time is 40 MPH. There is a fire station located directly on the northeast corner. French Elementary is a few blocks north of the fire station. The Windmill Creek Community sits on the southeast corner. Pikes Peak Christian Church on the southeast corner. There are neighborhoods tucked behind this intersection. Everyone in these tucked away neighborhoods who utilize this intersection will also be impacted by at least an additional 98 additional vehicles. With that being said, how will the proposed construction site traffic be managed?

If a traffic signal is not required now, eventually the burden of that cost will fall upon the taxpayers' shoulders because of this decision.

Project Justification

PUD Zoning Approval Criteria

Bullet #1: To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;

The proposed smaller lot residential development is meeting a need and demand for more attainable housing product.

Response: The average price of a home in the Colorado Springs community is \$457,000.00. Will the Haven Valley attached/detached homes meet those attainable needs of potential home buyers?

Thank you for allowing me as an adjacent homeowner to respond. A few additional items:

If approval is given by EPC Commissioners, I would also ask that the 6 foot opaque fencing with a landscape buffer proposed for the east and south boundary also be installed on the west boundary to include the buffering landscape.

In addition, I would hope that if the project is approved that no traffic associated with the construction of this project will be allowed to utilize the easement on Leta Drive or to use the west parking lot of Good Shepard's United Methodist Church as a thoroughfare.

Respectfully,

Susan Spencer
4855 Elm Grove Drive
Colorado Springs, CO 80911

